

**From:** [Estrada, Fabiola](#)  
**To:** [Hopkins, Yvette](#); [McWhorter, Scott](#); [Miller, Robert](#); [TenBrook, Patti](#); [Watanabe, Allison](#); [Wilcoxon, Katy](#)  
**Subject:** FW: Priority 59-SOL-17 Closing Report  
**Date:** Friday, April 12, 2019 5:45:50 PM  
**Attachments:** [59-SOL-17\\_Closing.pdf](#)

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**From:** Whitley, Dennis@CDPR <Dennis.Whitley@cdpr.ca.gov>  
**Sent:** Friday, April 12, 2019 2:15 PM  
**To:** CDPR-Priority Closing <PriorityClosing@cdpr.ca.gov>; Arriaga, Jose A. (JAArriaga@SolanoCounty.com) <JAArriaga@SolanoCounty.com>; Tony J Avina <TJAvina@solanoCounty.com>  
**Subject:** Priority 59-SOL-17 Closing Report

Please see the attached closing report for 59-SOL-17  
Incident involved a drift of fluroxypyr, chlorsulfuron, and glyphosate onto a vineyard causing damages in excess of \$20,000. Four violations were found. -001

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STATE OF CALIFORNIA  
DEPARTMENT OF PESTICIDE REGULATION  
**PESTICIDE EPISODE CLOSING REPORT**

DPR-ENF-055 (REV. 03/14)  
PAGE 1 OF 2

AMENDED? ☐ YES ☐ NO

PAGE 1 OF 1

DPR ENFORCEMENT BRANCH  
1001 I STREET, P.O. BOX 4015  
SACRAMENTO, CALIFORNIA 95812-4015  
www.cdpr.ca.gov

PRIORITY EPISODE NUMBER <b>59-SOL-17</b>	NOTIFICATION DATE <b>7/31/2017</b>	DATE OF OCCURRENCE <b>6/7/2017</b>	<b>-001</b>
BRAND NAME OF PESTICIDE/ACTIVE INGREDIENT	REGISTRATION NUMBER FROM LABEL	RESTRICTED USE?	
Vista XRT / Fluroxypyr	62719-586	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	UNKNOWN
Telar XP / Chlorsulfuron	432-1561	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	UNKNOWN
Rodeo / Glyphosphate	62719-324	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO	UNKNOWN
		<input type="checkbox"/> YES <input type="checkbox"/> NO	UNKNOWN

**SUMMARY OF FINDINGS (Continue on page 2, if necessary):**

Property operator/grower, Charlie Hamilton with Pressley Ranches LLC, noticed herbicide damage in his vineyard on 6/7/17. The date of injury or damage occurred sometime between May 20, 2017 and June 7, 2017. The symptoms included; leaf cupping upwards at the growing points, the older leaves had abnormal leaf veins causing interval bubbling of the leaf blade. The grower has assessed that more than 14 acres have been affected, resulting in more than \$100,000 worth of crop loss. The Solano CAC was notified on 7/31/17 of the damaged vineyard and began the investigation. Use reports for the surrounding properties were checked and an application on an adjacent property occurred in May 2017, and the tank mixed contained Fluroxypyr and Chlorsulfuron. Solano CAC has taken investigative samples based on drift pattern coming from the adjacent field and submitted them to the CDFA lab on 8/8/17. Investigation still active and waiting on results of sample analysis.

The CAC's investigation showed that an application to land owned by Sacramento Municipal Utility District (SMUD) adjacent to Pressley Ranches vineyard, and applied to by a pest control business (PCB), on May 22, 2017, was the cause of the damage. Several violations were found and an Agricultural Civil Penalty (ACP) was issued to the PCB.

STATE OF CALIFORNIA  
DEPARTMENT OF PESTICIDE REGULATION  
**PESTICIDE EPISODE CLOSING REPORT**

DPR-ENF-055 (REV. 03/14) (REVERSE)  
PAGE 2 OF 2

PAGE 2 OF 2

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SUMMARY OF FINDINGS, CONTINUED (Continue on supplemental form DPR-ENF-118, if necessary):

ADMINISTRATIVE CIVIL PENALTY DETAILS (See CA Pesticide Priority Episode Handling Manual):

Four violations were found as a result of the CAC investigation.  
3CCR 6600 General Standards of Care  
3CCR 6614 Protection of Persons, Animals, and Property  
FAC 12972 "...prevent substantial drift to non-target areas."  
FAC 12973 Use in conflict with labeling.

A ACP has been issued to the PCB that made the application and is still pending.

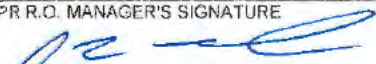
OTHER ENFORCEMENT ACTION:

☐ COMPLIANCE ACTION: \_\_\_\_\_

☒ REFERRAL: **Solano County District Attorney**

☐ PENDING: \_\_\_\_\_

INVESTIGATION CONSIDERATIONS / IMPACTS / EFFECTS:				AGENCY NOTIFICATION	
PUBLIC HEALTH	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	U.S. EPA: Ms. Fabiola Estrada	
GROUND WATER	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	CAC: <b>Mr. Jose Aggiaga</b>	
WORKER HEALTH AND SAFETY	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	DIR: <b>Ms. Amalia Neidhardt</b>	
ENDANGERED SPECIES	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	CDPH: <b>Dr. Justine Weinberg</b>	
PRODUCT REGISTRATION	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	OEHA: <b>Dr. William Ngai, Dr. James Nakashima</b>	
CANCELLED / SUSPENDED PESTICIDE	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	CalEPA:	
DPR ROUTING: Benson, Cuevas, Downing, Everett, Fadipe, Ford, Guerra, Hughes, James, Lopez, Marade, Marciano, McCarthy, Motakef, Naef, Ogawa, Oriel, Perez, Richmond, Sarracino, Solari, Verder-Carlos				OTHER: <b>Mr. Jose Avina</b>	
				OTHER:	
				DATE SENT: <b>4/12/2019</b>	

REPORT PREPARED BY <b>Dennis Whitley</b>	TELEPHONE NUMBER (Include Area Code) <b>916-376-8963</b>	DATE <b>4/12/2019</b>
DPR R.O. MANAGER'S SIGNATURE 	TELEPHONE NUMBER (Include Area Code) <b>916-376-8950</b>	DATE <b>4/12/19</b>